



Docket No. 46745

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4-7-98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: J. Weidanz et al.

SERIAL NO. 08/813,781 EXAMINER: Dr. M. Lubet

FILED: March 7, 1997 GROUP: 1644

FOR: FUSION PROTEINS COMPRISING BACTERIOPHAGE COAT
PROTEIN AND A SINGLE-CHAIN T CELL RECEPTOR

THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, DC 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

Applicants respond to the Restriction Requirement dated February 27, 1998 as follows.

Applicants respectfully traverse and request reconsideration of the Restriction Requirement on grounds that undue burden should not be imposed by examination of multiple Groups together, as those Groups are defined in the Office Action.

In particular, the searches for at least several of the Groups should be substantially co-extensive. Groups I and II drawn to fusion proteins as defined in the Restriction Requirement are classified in the identical class and subclasses. Similarly, Groups III and IV, drawn to nucleic acids encoding such fusion proteins and methods for producing the fusion proteins also are classified in the identical class and subclasses. Groups V, VI and VIII also all have common classification as Groups III and IV.

Additionally, the Restriction Requirement states at the sentence bridging pages 3 and 4 that "[t]he proteins can be made without recourse to the nucleic acids by the materially distinct process of biochemical purification from natural sources...."

Applicants note the application discloses the claimed fusion molecules are produced by recombinant methods, not isolation of naturally occurring proteins. It is not known on what basis that statement in the Restriction Requirement is made.

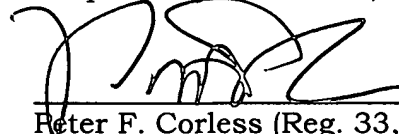
Applicants further note that a substantial financial burden would be imposed if Applicants must prosecute separate continuation applications for each of the sixteen groups set forth in the Restriction Requirement.

In view thereof, Applicants submit that search and examination of multiple Groups is appropriate, e.g. Groups I through VI and VIII could be suitably searched and examined together. Such reconsideration of the Restriction Requirement is earnestly solicited.

Nevertheless, to provide a complete response, Applicants elect with traverse Group II, which includes claims 1-8, 13-17, 18, 19 and 20, as that Group is defined in the Restriction Requirement.

Early consideration and allowance of the application is respectfully requested.

Respectfully submitted,



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AMENDMENT TRANSMITTAL LETTER (Small Entity) Applicant(s): J. Weidanz et al.	Docket No. 46745
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Serial No. 08/813,781	Filing Date March 7, 1997	Examiner Dr. M. Lubet	Group Art Unit 1644
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Invention: FUSION PROTEINS COMPRISING BACTERIOPHAGE COAT PROGEIN AND A SINGLE-CHAIN T-CELL RECEPTOR



TO THE ASSISTANT COMMISSIONER FOR PATENTS:

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Transmitted herewith is an amendment in the above-identified application.

- ☒ Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- ☐ A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	-	20 =	0 x	\$11.00	\$0.00
INDEP. CLAIMS	-	3 =	0 x	\$41.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 04-1105
A duplicate copy of this sheet is enclosed.
 - ☒ Any additional filing fees required under 37 C.F.R. 1.16.
 - ☐ Any patent application processing fees under 37 CFR 1.17.

Signature

Dated: March 26, 1998

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I certify that this document and fee is being deposited on March 26, 1998 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.
 Signature of Person Mailing Correspondence
Susan M. Dillon Typed or Printed Name of Person Mailing Correspondence

CC: